Dissatisfaction over signing Dunkel Draft

5330. SHRI GOVINDRAO ADIK : Will the Minister of COMMERCE be pleased to state :

(a) whether it is a fact that the opposition parties are making a lot of hue and cry over singing of the Dunkel Draft under the GATT;

(b) if so, the details thereof and reasons therefor;

(c) what are the merits and demerits of singing of Dunkel Draft under GATT accord;

(d) whether Government propose to propogate among the masses of the country about the merits of the Dunkel Draft through an effective media and offset the propaganda of the opposition parties about the demerits of the Dunkel Draft, if any, about which the people of India in general and agriculturists in particular are in total darkness; and

(e) if so, by when, and if not, the reasons therefor ?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED) : (a) Yes, Sir.

(b) The main points of criticism relate to the possible reduction in agricultural subsidies, minimum market access commitments, adverse effects on the public distribution system as a result of the Agreement on agriculture; patenting of seeds and increase in the prices of medicines as a result of the Agreement on TRIPs; and the entry of multinationals into all areas of the economy as a consequence of the Agreement on TRIMs and the back-loading of the textiles Agreement.

(c) The Uruguay Round results will establish a rule-based multinational trading system with expanded coverage. This will on the whole be advantageous to us in increasing our exports. There will be increased market access opportunities for Indian goods as a result of lowering of tariffs and the phase out of Multi Fibre Agreement. The Services Agreement would also provide export opportunities. The rules governing the multilateral trading system have been strengthened. Though we will be required to amend our patents regime, there are safeguards in the Agreement against the abuse of patent rights by the right holder. The use of price control measures is also not prohibited. We have flexibility to devise our own sui generis system of plant variety protection with provisions for farmers and researcher rights. In the area of agriculture, our development and public welfare policies will not be constrained.

(d) and (e) Government is educating people and removing misapprehensions about the Uruguay Round Agreement through the media.

Non-implementation of Dhanbad Industrial Tribunal Award in favour of Tribal Workers of BCCL

5331. SHRI MD. SALIM : Will the Minister of LABOUR be pleased to state:

(a) whether it is a fact that the Dhanbad Industrial Tribunal No. I gave award in favour of the tribal workers of Area VI of BCCL early two years ago and if so, the facts in detail;

(b) whether it is a fact that the award has not yet been implemented though it was statutory within a month and if so, reasons thereof;

(c) whether it is a fact that the management has not obtained any stay on that award to justify non-implementation and if so, exact position of the award; and

(d) whether Government are aware that the Regional Labour Commissioner (Central) has sent proposals for prosecution against the management for non-implementation and if so, the steps taken thereon ?

THE DEPUTY MINISTER IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI PABAN SINGH GHATOWAR) : (a) The Central Government Industrial Tribunal-cum-Labour Court No. 1, Dhanbad gave an award in favour of the tribal workmen on 21-12-1992 in Reference No. 40/89 in respect of Shri Bada Manjhi and others of Kusunda Area No. VI of M/S BCCL Dhanbad.

(b) and (c) The Management of BCCL have not yet implemented the award. The Management filed an SLP No. 14763 of 1993 before the Supreme Court on 30-1-93 which was allowed to be withdrawn by the Hon'ble Supreme Court on 28-10-93 for approaching the High Court of Patna. The Management has since filed a Writ Petition CWJC No. 4047 of 1993 in Patna High Court which is pending for admission. Therefore, the question of obtaining stay order against operation of the award by the Management does not arise at present.

(d) Regional Labour Commissioner (Central), Dhanbad sent a prosecution proposal against the management of BCCL for non-implementation of the award, which was approved and a prosecution complaint has already been filed before the Chief Judicial Magistrate, Dhanbad on 27-9-1993.

क्षेत्रीय श्रम आयुक्त, अहमदाबाद के पास लम्बित अभियोजन के मामले

5332. **श्री गोपाल सिंह जी सोलंकी** : क्या श्रम मंत्री यह बताने की कृपा करेंगे कि :

(क) क्षेत्रीय श्रम आयुक्त (केन्द्रीय) अहमदाबाद के पास अभियोजन के कितने मामले लम्बित पड़े हैं और ये मामले कब से लम्बित हैं;

(ख) पिछले तीन वर्षों के दौरान कितने मामलों में दण्ड दिया गया है;

(ग) लम्बित मामलों को शीघ्र निपटाने के लिए क्या-क्या कदम उठाये गये हैं; और

(घ) यदि नहीं, तो इसके क्या कारण हैं ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में उप मंत्री (श्री पवन सिंह घटोवार) : (क) अभियोजन मामले संबंधित न्यायालयों में लम्बित हैं न कि क्षेत्रीय श्रमायुक्त (केन्द्रीय) के पास । क्षेत्रीय श्रमायुक्त (केन्द्रीय) अहमदाबाद द्वारा दायर मामलों में से 31-12-93 की स्थिति के अनुसार 2026 मामले विभिन्न न्यायालयों में लम्बित हैं । इनमें से 31-12-93 की स्थिति के अनुसार 244 मामले तीन वर्ष से अधिक तथा 1782 मामले तीन वर्ष से कम अवधि से लम्बित हैं ।

(ख) 1012

(ग) और (घ) इन मामलों को शीघ्र निपटाने के लिए सम्बन्धित न्यायालयों को कहा जा रहा है ।